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DATE: April 13, 2005

TOTAL # OF PAGES:
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Commissioner for Patents

FAX #: (703) 872-9308

ATTN: Examiner:
Art Unit: 1745

PHONE #: (703) 605-4670

FROM: Victor E. Johnson

FAX #: (415) 398-3249

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RE:

U.S. Patent Application No. 10/089,377 for
Fuel Cell Assembly
Our Docket No. A-71428/DJB/VEJ (Matter No. 461124-00022)

COMMENTS:

Kindly acknowledge receipt of the following documents by return facsimile:

- 1) Supplemental INFORMATION DISCLOSURE STATEMENT;
- 2) Substitute Form PTO/SB/8A;
- 3) Copy of SUPPLEMENTARY PARTIAL EUROPEAN SEARCH REPORT dated March 9, 2005;
- 4) Copy of JP 7-23531 with English-language abstract; and
- 5) This facsimile cover sheet.

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REFERENCE # 461124-00022

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PATENT

APR 13 2005

Attorney Docket No. A-71428/DJB/VEJ
Application No. 10/089,377

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald JAFFREY *et al.*

Application No. 10/089,377

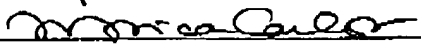
Filed: September 28, 2000

For: FUEL CELL ASSEMBLY

Art Unit: 1745

Examiner: To be assigned

Docket No.: A-71428/DJB/VEJ

Certificate of Transmission (37 C.F.R. § 1.8(a))I hereby certify that this correspondence is being facsimile transmitted
to the U.S. Patent and Trademark Office, Facsimile number (703) 872-
9306 on April 13, 2005.
Monica E. CarlosMail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Except for U.S. Patents and U.S. Patent Application Publications, *see* 37 C.F.R. § 1.98(a)(2)(i), copies of the cited references are enclosed, unless otherwise noted below.

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

INFORMATION DISCLOSURE STATEMENT

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(1165087)

PATENT

Attorney Docket No. A-71428/DJB/VEJ
Application No. 10/089,377

In the event that this Information Disclosure Statement is being filed after the mailing date of a first Office action, but before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. 37 C.F.R. § 1.97(c), I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). Enclosed herewith is copy of a SUPPLEMENTARY PARTIAL EUROPEAN SEARCH REPORT dated March 9, 2005 and issued in connection with the corresponding European application. No fee is required.

A concise explanation of the relevance of the non-English language document(s) is as follows: Japanese Publication No. 07-235316 was cited in a search report by a foreign patent office in a counterpart foreign application and is directed to "CYLINDRICAL SOLID ELECTROLYTE FUEL CELL". See the English-language abstract attached thereto.

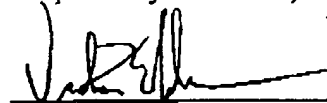
The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 461124-00022; Docket No. A-71428/DJB/VEJ).

Date:

4/13/2005

Respectfully submitted,

By:

Victor E. Johnson, Reg. No. 41,546
/for/ David J. Brezner, Reg. No. 24,774
Filed Under 37 C.F.R. § 1.34(a)DORSEY & WHITNEY LLP
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INFORMATION DISCLOSURE STATEMENT

- 2 -

(1165087)

Substitute PTO/SB/8A (08-00)

Substitute for form 1449A/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/089,377
				Filing Date	September 28, 2000
				First Named Inventor	Donald JAFFREY et al.
				Group Art Unit	1745
				Examiner Name	To be assigned
Sheet	1	of	1	Attorney Docket Number	A-71428/DJB/VEJ

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	B1	3,522,097	07-28-1970	Tedmon, Jr. et al.	
	B2	5,827,620	10-27-1998	Kendall et al.	
	B3				
	B4				
	B5				
	B6				
	B7				
	B8				
	B9				
	B10				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B11	JP 07-135316 A	09-05-1995	FUJIKURA LTD		
	B12					
	B13					
	B14					
	B15					

NON PATENT LITERATURE DOCUMENTS					T ⁶
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	B16				
	B17				
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	B19				
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

(1185057)